

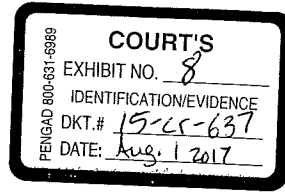
PENGAD 800-631-6889	COURT'S
	EXHIBIT NO. <u>7</u>
	IDENTIFICATION/EVIDENCE
	DKT.# <u>15-CR-637</u>
DATE: <u>7-31-17</u>	

7/31/17

Judge Matsunoto,

What hours are we expected
deliberate?

F/ Redacted



8/1/17

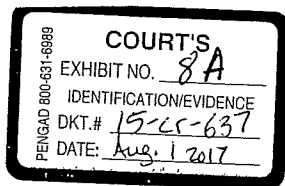
Judge Matsumoto,

Do assets under management refer to a particular fund being discussed or to all assets managed by the Portfolio Manager/General Partner?

Can we have a legal definition of Assets under management?

Can you expand or ^{elaborate} ~~refute~~ your definition of fraudulent intent?

REDACTED



8/1/17

Judge Matsumoto,

(1) Do assets under management refer to a particular fund being discussed or to all assets managed by the Portfolio Manager/General Partner?

(2) Can we have a legal definition of Assets under management?

(3) Can you expand or ^{elaborate} ~~state~~ your definition of fraudulent intent?

REDACTED

Court Exhibit 8A

15-CR-637

Answers to Questions 1 and 2:

There is no legal definition of "assets under management" ("AUM") in the record. What Mr. Shkreli intended when he used the term "Assets Under Management" or "AUM," when he conveyed information regarding the MSMB Capital or MSMB Healthcare funds to potential investors and investors, the SEC, his employees, and alleged co-conspirators, is an issue in dispute for you, the jury, to resolve.

Answer to Question 3:

Fraudulent intent is defined separately for the counts relating to securities fraud and securities fraud conspiracy (Counts One, Three, Four, Six and Eight) and conspiracy to commit wire fraud (Counts Two, Five and Seven).

Please refer to the elements and definitions in the Jury Instructions regarding those counts at:

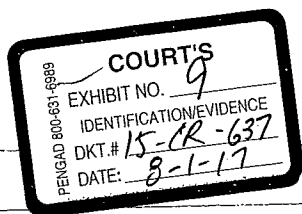
Pages 33-42 for counts related to securities fraud and securities fraud conspiracy.

Pages 62-68 for counts related to conspiracy to commit wire fraud.

Please also refer to pages 79-81 for instructions relating to the defenses of good faith and reliance on counsel.

7.

Aug 1, 2017

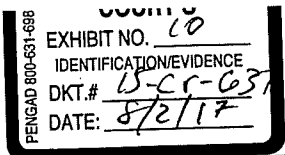


8/1/17

Judge Matsumoto,

The jurors are ready to be released
for the day.

REDACTED



8/2/17

Judge Matsumoto

The jurors would like to be
dismissed for the day.

REDACTED

EXHIBIT NO. 11
IDENTIFICATION/EVIDENCE
DKT.# 15-cr-637
DATE: 8/3/17

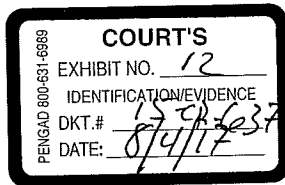
8/3/17

Judge Matsumoto

The jurors are ready to be dismissed
for the evening

Thank you

REDACTED



8/4/17

Judge Matsumoto

The jury has reached a verdict.

REDACTED